

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE CHOWNS GROUP, LLC : CIVIL ACTION
:
v. :
:
JOHN C. GRIMBERG CO., INC., :
STEVEN J. GRIMBERG, HENRY :
DANFORTH, JAMES L. GRAHAM, : NO. 22-2238
and JERRY ELMORE

ORDER

NOW, this 30th day of January, 2024, upon consideration of the Defendants' Motion to Dismiss Counts I, II, III, V, and VI of Plaintiff's Amended Complaint (Doc. No. 26), the plaintiff's response, and the defendants' reply, and after oral argument, it is **ORDERED** that the motion is **GRANTED**.

IT IS FURTHER ORDERED as follows:

1. Counts I and II of plaintiff's First Amended Complaint are **DISMISSED WITH PREJUDICE**.
2. Count IV of plaintiff's First Amended Complaint is **DISMISSED WITHOUT PREJUDICE**.
3. The parties shall submit the claims in Counts III, V, and VI of the First Amended Complaint to arbitration pursuant to the terms of the parties' contract;
4. All proceedings in this action are **STAYED** pending arbitration of the plaintiff's claims in Counts III, V, and VI of the First Amended Complaint;
5. Counsel shall immediately notify the Clerk within thirty days of the resolution of the arbitration proceeding; and,
6. The Clerk of Court shall **CLOSE** this action administratively.


TIMOTHY J. SAVAGE, J.